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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/028-669

07/26/01

DAVIS

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154344

MM91/0620

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EXAMINER

NGUYEN, K

ART UNIT

PAPER NUMBER

2839

DATE MAILED:

06/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/628669

Applicant(s)

DAVIS

Examiner

K. NGUYEN

Group Art Unit

2839

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-37 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-37 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some\* ☐ None of the:
  - ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Reissue Applications*

1. Applicant is reminded of the continuing obligation under 37 CFR 1.56 to timely apprise the Office of any litigation information, or other prior or concurrent proceeding, involving Patent No. 5,295,843 and 5,785,557 which is material to patentability of the claims under consideration in this reissue application. This obligation rests with each individual associated with the filing and prosecution of this application for reissue. See MPEP §§ 1404, 1442.01 and 1442.04.

2. The reissue oath/declaration filed with this application is defective (see 37 CFR 1.175 and MPEP § 1414) because of the following:

The statement giving reasons that applicant believes the original patent to be wholly or partly inoperative or invalid by reason of claiming less than he has a right to claim seem broad and not directed to each specific claims. Each newly submitted claims in a reissue application address an error in the original patent and must be properly addressed in the reissue declaration.

Generally indicating, *for example*, is not inclusive of how each new reissue claim address each specific error. Specifically, applicant should be more comprehensive as to how each newly submitted claims 19-37 address a given error of the original patent.

3. Claims 1-37 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

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The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 19-22, 30-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Chau et al. (5,190,480). See especially figure 2 and column 4, lines 10-18.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 19-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ammon (3,868,162) and Henschen et al. (3,663,930) in view of Chau et al. and Martens (4,582,386).

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8. Ammon and Henschen et al. both disclose mateable electrical connectors comprising a first and a second electrical connector having mateable contacts and at least one first power contact (31, 8) mateable with at least one second power contact (32, 4); the first power contact having opposed contact fingers extending from a first body portion and the second power contact having opposed contact surfaces; wherein the opposed contact fingers of the first power contact are received between the opposed contact surfaces of the second power contact such that the contact fingers resiliently deflect inwardly and exert pressure of the opposed contact surfaces. It is noted that Ammon and Henschen et al. each lack to disclose separate signal contacts from the power contacts and in which the power contacts are larger or more massive than the signal contacts as substantially set forth by applicant's invention. However, Chau et al. as discussed in the previous paragraph and Martens both disclose the use of signal contacts in combination with power contacts in their connector housings and that their power contact are generally larger or more massive than their signal contacts. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide signal contacts in combination with at least one set of power contacts for the connectors of Ammon and Henschen et al. in which the power contacts are larger or more massive than the signal contacts in view of the teachings of Chau et al. and Martens. The use of larger power contacts would increase the current carrying capacity as is well known the art (see Chau et al., column 4, lines 10-18).

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Khiem Nguyen between the hours of 10 AM and 6 PM whose telephone number is (703) 308-1738 . If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, may be reached on (703) 308 3119.

KN

June 17, 2001

  
Khiem Nguyen

Primary Examiner

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